(1)

(47)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [CHHATTISGARH]

WRIT PETITION NO. 396 OF 2006

PETITIONER — Dr. Arjun Singh Thakur s/o late Tok Singh Thakur, aged about 52 years, Posted at Community Health Centre, Sahaspur Lohara, r/o Sahaspur Lohara, District Kabeerdham (CG).

P.R. No. 3760/06
Presented by Shri Dinesh RK Tiwari
dated 20/7/06

VERSUS

RESPONDENTS 1. State of Chhattisgarh through the Secretary, Health and Family Welfare Department, Government of Chhattisgarh, D.K.S. Bhawan, **Raipur** (CG).

2. Director, Health Services, Chhattisgarh, **Raipur** (C.G.).

3. Chief Medical & Health Officer, Main Hospital, **Kawardha** (C.G.)

OATH COMMISSIONER S.R. Kaushik

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(40)

मामला क्रमांक WP 3696/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

25.7.2006

Mr. D.R. Tiwari, Advocate for the petitioner.

Mr. Satish Gupta, Dy. Govt. Advocate for the State on advance copy.

Heard.

By the instant petition, the petitioner, who is working as Doctor in Community Health Centre, Sahaspur Lohara, District Kabeerdham, has challenged his transfer order dated 7.7.2006 whereby he has been transferred to District Hospital Koriya.

It is settled law that the judicial review of a transfer can only be made when the same is outcome of mala fide action or passed against the statutory rules. No such ground has been raised or established in the present case, moreover, the petitioner is working at Sahaspur Lohara since 2003 and thereby he has completed his tenure also. As such, I do not find any substance in this petition, same is liable to be dismissed and accordingly, it is dismissed.

Consequently, M.(W.)P. No. 2875/06 also stands dismissed.

In view of this order, I.A. Nos.7113/06 & 7114/06 stand disposed of.

Sd/-
L.C. Bhadoo
Judge

P.T.O.